IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 15139 of 2004

Between:

Kandati Basappa, s/o Veerappa,
r/o Yammungandla Village, Nawabpet Mandal,
Mahabubnagar District.

..... PETITIONER

AND

1. The Assistant Director, Land Revenue (Survey & Settlements),
   Mahabubnagar, Mahabubnagar District.
2. The Revenue Divisional Officer, Mahabubnagar Division,
   Mahabubnagar District.
3. The Mandal Revenue Officer, Nawabpet Mandal,

Mahabubnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of *Writ of Mandamus* to declare the action of the respondents in not conducting the survey to the agricultural land of the petitioner in Sy.No.785/3 admeasuring Ac.4.10 guntas, situated at Yammungandla Village, Nawabpet Mandal, Mahabubnagar District on his representation despite payment of required fee as arbitrary, illegal, unjust, contrary to law, violative of the orders of this Honourable Court in WP No.23866 of 2002 dt.4-12-2002 and also in violation of Article 14, 21 and 300-A of the Constitution of India.

Counsel for the Petitioner: T.CHANDRA SEKHAR RAO

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the admission stage made the following:

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THE HON'BLE SRI JUSTICE A. GOPAL REDDY

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WRIT PETITION NO.15139 Of 2004

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ORDER:

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The main grievance of the petitioner ventilated through this writ petition is that he made several applications to the respondents viz., dated 15.03.2000, 07.06.2000 and 18.09.2002 for conducting survey of the agricultural land belongs to him admeasuring Ac.4-10 Guntas, in Survey No.785/3, situated at the outskirts of Yammungandla village, Nawabpet Mandal, Mahabubnagar District and Inspite of the orders passed by this Court in W.P.No.23866 of 2002, dated 004.12.2002 no body came and surveyed the land.

2. The learned counsel for the petitioner submits that several notices were issued to the respondents to survey the land, but no action is forthcoming. Whereas, the learned Government Pleader after taking instructions, produced the xerox copy of the Panchanama dated 16.06.2003, which was signed by the petitioner. It discloses that the Inspector, Survey and Land Records, Mahabub Nagar District in the presence of Panchayat Secretary, Nawabpet and panchayatdars, conducted a survey and after demarcating, it was noticed that the petitioner is in occupation of Ac.4.03 guntas of land instead of Ac.4.10 guntas of land as mentioned in his patta. Accordingly, he submitted a report to the Assistant Director of Survey and Land Records, Mahabubnagar on 20.06.2003 for taking further action in the matter.

4. In view of the same, it is open to the petitioner to apply for the certified copy of the report submitted by the Inspector, to the Assistant Director, Survey and

Land Records, Mahabubnagar along with sketch, if any prepared and work out his remedies before appropriate Civil Court, after impleading the neighbouring land owners.

5. Accordingly, the writ petition is disposed of.

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(A. GOPAL REDDY)

01-09-2004

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Assistant Director, Land Revenue (Survey & Settlements), Mahabubnagar, Mahabubnagar District.
2. The Revenue Divisional Officer, Mahabubnagar Division, Mahabubnagar District.
3. The Mandal Revenue Officer, Nawabpet Mandal,

Mahabubnagar District.

4. Two CCs to G.P. for Revenue, High Court Buildings, High Court of A.P., Hyderabad (O.U.T.),

5. Two C.D. copies